

K&L GATES

February 1, 2022

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VIA ECF

Honorable Annie Y. Shields
United States District Court
Eastern District of New York
100 Federal Plaza
Courtroom 830
Central Islip, New York 11722

**Re: *Michelle Tenzer-Fuchs on behalf Of Herself And All Other Persons
Similarly Situated, v. Foris Dax Capital Inc., 2:21-cv-06859 (AYS)***

Dear Magistrate Judge Shields,

This firm represents Defendant Foris Dax Capital Inc. in the above-referenced matter. This letter is written pursuant to Rule III of Your Honor's Individual Practice Rules, to respectfully request an extension of the deadline for Defendant to answer, move or otherwise respond to the Complaint from February 3, 2022 through and including March 7, 2022. This is Defendant's second request for an extension of time and Plaintiff has consented to it.

This request is made in light of the Parties progress toward resolving this matter and during the process determining that the Plaintiff had named the wrong entity as the Defendant (Plaintiff was advised of her error). The parties require additional time to sort out the naming issue and to hopefully resolve the matter. Thus, we respectfully request this Court to approve the extension through and including March 7, 2022.

Respectfully submitted,



Tara L. Pehush

cc: All counsel (by ECF)